



K. Chad Burgess
Director & Deputy General Counsel

chad.burgess@scana.com

July 3, 2018

VIA ELECTRONIC FILING

The Honorable Jocelyn D. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29211

RE: Friends of the Earth and Sierra Club v. SCE&G
Docket No. 2017-207-E

Request of the Office of Regulatory Staff for Rate Relief to South
Carolina Electric & Gas Company's Rates Pursuant to S.C. Code Ann. §
58-27-920
Docket No. 2017-305-E

Joint Application and Petition of South Carolina Electric & Gas
Company and Dominion Energy, Incorporated for Review and Approval
of a Proposed Business Combination between SCANA Corporation and
Dominion Energy, Incorporated, as May Be Required, and for a
Prudency Determination Regarding the Abandonment of the V.C.
Summer Units 2 & 3 Project and Associated Customer Benefits and Cost
Recovery Plans
Docket No. 2017-370-E

Dear Ms. Boyd:

By letter dated June 29, 2018, Friends of the Earth and the Sierra Club
(together, "FOE") requested that the hearing officer reconsider the decision set forth
in Order No. 2018-74-H ("Order"), or in the alternative, clarify the Order ("Motion").
Please accept this letter as South Carolina Electric & Gas Company's ("SCE&G")
response to FOE's Motion.

(Continued . . .)

The Honorable Jocelyn G. Boyd, Esquire
July 3, 2018
Page 2

On June 27, 2018, FOE's counsel and I engaged in a telephone conversation to discuss the Order. At the outset of the conversation, FOE's counsel informed me that FOE disagreed with the rulings contained in Order No. 2018-74-H, and then renewed FOE's request that it be provided with access to the abandoned construction site. FOE's counsel stated that SCE&G had previously agreed to conduct a tour for FOE, and in response, I reminded him that in response to SCE&G's offer to conduct a tour FOE had informed SCE&G that FOE could not agree with SCE&G's condition that no photography would be allowed during the tour. Attached as Attachment 1 is a copy of the March 2, 2018, and March 5, 2018 email communications between counsel in this topic. I also informed FOE's counsel that SCE&G interpreted FOE's March 5, 2018 email as a counteroffer which SCE&G rejected; thus, leading to FOE filing a Motion to Compel against SCE&G. Now that SCE&G has successfully defended itself against that portion of FOE's Motion to Compel demanding entry to the site and is not required to provide FOE with access to the abandoned construction site, FOE still insists upon a tour; FOE cannot have it both ways. Notwithstanding the Order's denial of FOE's request for access to the site, I stated to FOE's counsel that I would nonetheless inform SCE&G of FOE's desire for a tour and advise him of SCE&G's decision. I have communicated FOE's request to SCE&G, and SCE&G has informed me that it will not provide FOE with access to the site, especially now knowing that the Order does not require SCE&G to do so.

With regard to the Order's instruction to submit a proposed protective order, FOE's counsel informed me of FOE's preference for a narrow protective order. I informed him that because of FOE's actions of using documents procured through discovery for purposes other than litigation, SCE&G could not agree to a narrowly tailored protective order. I also informed him that SCE&G was in the process of drafting a proposed protective order and that I would present it to him for FOE's consideration; this task was accomplished on June 29, 2018. Attached as Attachment 2 is a copy of the June 29, 2018 email to FOE's counsel. FOE's counsel did not reply to the June 29 email, but instead filed its Motion.

Lastly, and during our June 27, 2018 conversation, I informed FOE's counsel that SCE&G would work with FOE to narrow the scope of FOE's third set of discovery demands, but the time for that discussion was not yet ripe. I informed FOE's counsel that the Order clearly states that the point in time for that discussion is "[o]nce the Commission issues its [protective] Order. . . ." Contrary to any assertion otherwise, the Order is unambiguous and clearly sets forth the procedure for the parties to follow. SCE&G is prepared to follow the Order.

(Continued . . .)

The Honorable Jocelyn G. Boyd, Esquire
July 3, 2018
Page 3

In conclusion, FOE has presented neither the Hearing Officer nor the Public Service Commission of South Carolina with any new information that would warrant reconsideration or clarification of the Order. For these reasons, SCE&G respectfully requests that FOE's Motion be denied.

Very truly yours,



K. Chad Burgess

KCB/kms
Enclosures

cc: All parties of Record in Docket No. 2017-305-E
All parties of Record in Docket No. 2017-207-E
All parties of Record in Docket No. 2017-370-E
(all via electronic mail only w/enclosure)

From: Bob Guild <Bguild@mindspring.com>
Sent: Monday, March 5, 2018 12:58 PM
To: BURGESS, KENNETH CHAD <chad.burgess@scana.com>
Subject: Re: Tour Dates

***This is an EXTERNAL email from Bob Guild (Bguild@mindspring.com). Please do not click on a link or open any attachments unless you are confident it is from a trusted source.

Chad: Thanks for the message. We will need to be able to document site conditions with photography for potential use as evidence or demonstrative materials in these proceedings- in much the same way as the company has regularly used photographs to illustrate site conditions in past BLRA cases. I'd urge you to reconsider your objection or to explain any underlying concerns which may allow us to proceed with appropriate conditions.

Do call if you'd like to discuss further.

Regards,

Bob

On 3/2/2018 6:00PM, BURGESS, KENNETH CHAD wrote:
Bob-

SCE&G has agreed to provide you, Tom Clements and Mark Cooper a tour of the abandoned construction site along with a tour of its two off-site warehouses. The warehouses are not located in Jenkinsville, but in Blythewood and West Columbia. The total time for the tour should be about 4 hours. Please know that SCE&G will not permit photograph during the tour. SCE&G proposes conducting the tour on either March 20 or March 21. Please let me know if these dates work and if so, we can begin finalizing logistics.

Also, I wanted to make sure you received my email of February 26, 2018, concerning the information I provided you with about Concordance. If you need anything further on that matter, please let me know.

Chad

K. Chad Burgess, Esquire
Director & Deputy General Counsel
SCANA Corporation
Mail Code C222
220 Operation Way
Cayce, South Carolina 29033
Telephone No. 803.217.8141
Mobile No. 803.807.1559
Facsimile No. 803.217.7810
E-mail address: chad.burgess@scana.com

From: BURGESS, KENNETH CHAD
Sent: Friday, June 29, 2018 2:29 PM
To: bguild@mindspring.com
Subject: Proposed Protective Order



Proposed Protective
Order.docx

Dear Bob –

I am following up on our conversation from the other day. As promised, attached to this email is a proposed protective order for your consideration. If you are interested in joining SCE&G's proposed protective order, please let me know and we can communicate that information to the Hearing Officer. The proposed protective orders are due today, but the Hearing Officer's directive indicates that he will entertain a request for extra time if we are working toward a joint proposed order. If you wish to work toward a joint proposed protective order, please let me know and we can seek additional time. If, however, you prefer to submit your own proposed protective order, please communicate that fact to me, and SCE&G will move forward with submitting the attached protective order.

If you have any questions, please do not hesitate to contact me.

Chad

K. Chad Burgess, Esquire
Director & Deputy General Counsel
SCANA Corporation
Mail Code C222
220 Operation Way
Cayce, South Carolina 29033
Telephone No. 803.217.8141
Mobile No. 803.807.1559
Facsimile No. 803.217.7810
E-mail address: chad.burgess@scana.com